

REQUIRED STATEMENT
TO ACCOMPANY MOTIONS FOR RELIEF FROM STAY

Debtors Nestor R. Toro, Jr., Case No 18-14214 Chapter 13
Lourdes L. Toro,
Moving Creditor M & T Bank as servicing agent for Date Case Filed May 16, 2018
Lakeview Loan Servicing, LLC

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe): __

Chapter 13 Date of Confirmation Hearing Date Plan Confirmed August 3, 2018

1. Collateral
 - a. ☒ Home
 - b. ☐ Car _____
 - c. ☐ Other (describe) _____
2. Balance Owed as of October 8, 2019 \$198,974.94
Total of all other Liens against Collateral \$0.00 (per debtor's schedule)
3. In chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the Debtors post-petition.
4. Estimated Value of Collateral (must be supplied in *all* cases) \$250,000.00 (per Debtors' Schedules)
5. Default
 - a. ☐ Pre-Petition Default
Number of months ____ Amount \$ _____
 - b. ☒ Post-Petition Default
 - i. ☒ On direct payments to the moving creditor
Number of months 3 Amount \$6,037.73
 - ii. ☐ On payments to the Standing Chapter 13 Trustee
Number of months ____ Amount \$ _____
6. Other Allegations
 - a. ☒ Lack of Adequate Protection § 362(d)(1)
 - i. ☐ No insurance
 - ii. ☐ Taxes unpaid Amount \$ _____
 - iii. ☐ Rapidly depreciating asset
 - iv. ☒ Other (describe) Material payment default
 - b. ☐ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
 - c. ☐ Other "Cause" § 362(d)(1)
 - i. ☐ Bad Faith (describe) ____
 - ii. ☐ Multiple Filings
 - iii. ☐ Other (describe) _____
 - d. Debtor's Statement of Intention regarding the Collateral
 - i. ☐ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☐ No Statement of Intention Filed

Date: October 16, 2019

Submitted By:

/s/Dana O'Brien

ARDC# 6256415

McCalla Raymer Leibert Pierce, LLC